

UNITED STATES DISTRICT COURT

U. S. DEPARTMENT OF THE TREASURY,
PLAINTIFF

V

CASE#4:2021-cv-03610

SEIZED FEDERAL SECURITIES,
DEFENDANT

United States Courts
Southern District of Texas
FILED

MAY 23 2022

CEASE AND DESIST

Nathan Ochsner, Clerk of Court

TO : ALL 3RD PARTY SERVICE PROVIDERS , et al
RE:(ATTACHED DEFENDANT) BANK OF AMERICA, N.A.
TIN#56-0906609

Per. attached 11th Circuit ORDER and supplemental attachments, the (ATTACHED DEFENDANT) has been arrested. Any service provider, contractor, agent, merchant, primary dealer, employee, recipient, class member, payment processor, settlement administrator, payer, payee, intermediary-corresponding bank, and any other person or custodian shall immediately cease and desist all operations, terminate, close, disconnect all services, utilities, registrations, payments, settlements, checks, drafts, invoices, wire transfers, phone-internet, contracts, subscriptions, work- orders, accounts, licenses, leases, bonds, permits, postal-mail, electronically stored info., etc. with the above- mentioned (ATTACHED DEFENDANT) within 72 hours of receipt, and return evidence of termination along with any property, U.S. Treasury bonds, or money received from the (ATTACHED DEFENDANT) made payable TO: Trustee Recovery Account, P.O. Box #381292 42383 Garfield Rd. Clinton Township, Mich. 48038.

Whereas, 3rd PARTY is also subject to binding compliance of the National Security Act per. attached warrants in which disclosure to anyone of arrest and cease and desist is prohibited. Failure to comply within the specified time is subject to further arrest and seizure of 3rd PARTY'S assets by the U. S. MARSHALS or any local or state law enforcement officers.

Dated 05-12-2022

U.S. DEPARTMENT OF THE TREASURY,
PLAINTIFF

Case 4:21-cv-03610 Document 9 Filed on 05/02/22 in TXSD Page 1 of 9

UNITED STATES DISTRICT COURT

United States Courts
Southern District of Texas
FILED

MAY 02 2022

**U. S. DEPARTMENT OF THE TREASURY,
PLAINTIFF**

Nathan Ochsner, Clerk of Court

V.

CASE#:2021cv03610

**SEIZED FEDERAL SECURITIES,
DEFENDANT**

NOTICE OF FORFEITURE

The real property known as **BANK OF AMERICA, N. A.**, Located at **100 N. Tryon St, Charlotte, N. C. 28202** with all appurtenances and attachments thereon and any right to collect and receive any profit, rent, and proceeds therefrom directly or indirectly including all interest held in or secured by the real property has been attached through the Defendant **SEIZED FEDERAL SECURITIES** and forfeited to the Plaintiff per. attached executed warrants.

Dated: 04-12-2022

**/S/ DUANE L. BERRY
FEDERAL TRUSTEE**

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USCA11 Case: 21-11738 Date Filed: 06/21/2021 Page: 1 of 1

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 21-11738-J

U.S. DEPARTMENT OF THE TREASURY,

Plaintiff - Appellee,

versus

SEIZED FEDERAL SECURITIES,

Defendant,

DUANE L. BERRY,

Interested Party - Appellant.

**Appeal from the United States District Court
for the Northern District of Georgia**

ORDER:

The Appellant's motion to stay pending appeal, construed from motion to stay all Orders, Judgments, Mandates, Proceedings or otherwise in this action is GRANTED to the extent that this appeal shall be stayed for a period of sixty (60) days. The Appellant may file a renewed motion for stay at the expiration of the sixty (60) day-time period if necessary.

The Appellant is directed to file a monthly status report on the 15th of every month until the stay has been lifted.

/s/ Robin S. Rosenbaum
UNITED STATES CIRCUIT JUDGE

UNITED STATES COURT OF APPEALS

**UNITED STATES DEPT. OF THE TREASURY,
PLAINTIFF**

V.

CASE#21-11738

**SEIZED FEDERAL SECURITIES,
DEFENDANT**

STATUS REPORT BY ORDER

The ORDER has been satisfied to the extent that the Plaintiff has arrested and taken custody of the Defendant by attachments through its Federal Trustee Duane L Berry and the U. S. Marshals Service. No further stay is necessary. See attached executed warrants.

**/s/Duane L Berry
FEDERAL TRUSTEE**

RECEIVED IN CLERK'S OFFICE
U.S.D.C. - ATLANTA Case 4:21-cv-03610 Document 9 Filed on 05/02/22 in TXSD Page 4 of 9
APR - 5 2021
JAMES N. HATTEN, Clerk
BERRY, CLARK
IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

UNITED STATES DEPARTMENT OF
THE TREASURY,

Plaintiff,

v.

No. 1:21-cv-00717-CAP-CCB

SEIZED FEDERAL SECURITIES,

Defendant,

WARRANT FOR ARREST IN REM

TO: THE UNITED STATES MARSHAL AND ANY AUTHORIZED PERSON

WHEREAS, in a matter concerning the National Security of the United States in the above captioned action, the undersigned FEDERAL TRUSTEE, on behalf of the United States Department of the Treasury, has issued a warrant for arrest in rem regarding the recovery and investigation of classified tax records, documents, and banking information pursuant to the National Security Act.

[See 50 U.S.C. § 3162(a)(1)]

WHEREAS, the undersigned FEDERAL TRUSTEE is authorized to issue this warrant and no further court action is required.

[See 50 U.S.C. § 3162(a)(3)(A) and 26 U.S.C. § 6903]

Dated: March 11, 2021

CJ
DUANE L. BERRY
FEDERAL TRUSTEE
(26 USC § 6903)

UNITED STATES DEPARTMENT OF THE TREASURY
1500 Pennsylvania Ave. NW
Washington, DC 20220

Case 4:21-cv-03610 Document 9 Filed on 05/02/22 in TXSD Page 5 of 9

U.S. Department of Justice
United States Marshals ServicePROCESS RECEIPT AND RETURN
See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF

U.S. DEPARTMENT OF THE TREASURY

COURT CASE NUMBER

1:21-cv-00717 CAP

DEFENDANT

SEIZED FEDERAL SECURITIES

TYPE OF PROCESS

SUMPOENA/WARRANT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
SERVE *Martins Towing Inc*
AT *17160 Dix Towing Hwy, Brandon, MI 48112*

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

U.S. DEPARTMENT OF THE TREASURY
Attn: Mr. Brent J. McIntosh
(General Counsel)
1500 Pennsylvania Ave., NW
Washington, DC 20220

Number of process to be served with this Form 285

Number of parties to be served in this case

Check for service on U.S.A.

UNITED STATES
MARSHAL'S OFFICE
DEPARTMENT OF JUSTICE

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Home Addresses, All Telephone Numbers, and Estimated Times Available for Service):

(SEE ATTACHED WARRANT)

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

JUL 29 2021

Signature of Attorney (or Designee) requesting service on behalf of:

 PLAINTIFF

TELEPHONE NUMBER:

 DEFENDANTKEVIN P. WEIMER, Clerk
Deputy Clerk

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated.

(Sign only for USM 285 if more than one USM 285 is submitted)

Total Process

District of Origin

District to Serve

Signature of Authorized USMS Deputy or Clerk

Date

No. 39

No. 61

Edw Peter Murphy

7/23/21

I hereby certify and return that I have personally served, have legal evidence of service, have exercised as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the individual, company, corporation, etc., shown at the address inserted below. I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

Ashley Poore (Office Manager) A person of suitable age and discretion then residing in defendant's usual place of abode

Date 7/23/2021 Time 9:43 AM

Signature of U.S. Marshal or Deputy *Edw Peter Murphy #31269*

Service Fee Total Mileage Charged (including endearment) Rewarding Fee Total Charge Adversary Deposits Amount to be paid U.S. Marshal if payment is not made by 7/27/2021 \$0.00

REMARKS: Served without incident to Ashley Poore, Office Manager
of Martins Towing INC. on 7/23/2021 @ 0943 hrs.PRINTER/COPIER: 1. CLERK OF THE COURT 1 endearment 7/27/2021
2. USMS RECORD 1/1 miles
3. NOTICE OF SERVICE 1/1 miles
4. BILLING STATEMENT To be returned to the U.S. Marshal with payment, if any amount is owed. Please retain promptly payable to U.S. Marshal
5. ACKNOWLEDGMENT OF RECEIPT 1 hour
PRIOR EDITIONS MAY BE USEDForm USM-285
Rev. 12/15/99
Automated 01/00

U.S. Department of Justice
United States Marshals Service

Case 4:21-cv-03610 Document 9 Filed on 05/02/22 in TXSD Page 6 of 9
PROCESS RECEIPT AND RETURN
See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF	U. S. DEPARTMENT OF THE TREASURY	COURT CASE NUMBER
DEFENDANT	SEIZED FEDERAL SECURITIES	TYPE OF PROCESS
SERVE	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN	
AT	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 1 CNN Center, Atlanta, GA 30303	

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form 285	1
U.S. DEPARTMENT OF THE TREASURY Attn: Mr. Brent J. McIntosh (General Counsel) 1500 Pennsylvania Ave., NW Washington, DC 20220	Number of parties to be served in this case	1
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold PLEASE MAINTAIN LEAKED TAX RECORDS, 'SEIZED FEDERAL SECURITIES'
(Defendant) in your custody until further notice

Signature of Attorney other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER	DATE
	<input type="checkbox"/> DEFENDANT	---	6/16/21

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. A19	District to Serve No. A19	Signature of Authorized USMS Deputy or Clerk Linda Banks	Date 7/18/21
---	---------------	-------------------------------	------------------------------	---	-----------------

I hereby certify and return that I have personally served, I have legal evidence of service, I have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above) Linda Banks	FILED IN CLERK'S OFFICE U.S.D.C.-Atlanta	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode			
Address (complete only different than shown above) 289 Colver Street Lawrenceville, GA 30046	AUG 16 2021 KEVIN P. WEIMER, Clerk By: Linda Banks, Deputy Clerk	Date 1344 21 0740 Time <input checked="" type="checkbox"/> am <input type="checkbox"/> pm Signature of U.S. Marshal or Deputy			
Service Fee	Total Mileage Charges including endearments	Forwarding Fee	Total Charges	Advance Deposits	Amount owing to U.S. Marshal* or (Amount of Refund*) \$0.00
\$			\$492.24		

REMARKS:

1) 404-827-1500 2) legal dept 4-827-4987
General # Kelly 3) CT Corp 289 Colver St. S
Lawrenceville

PRINTED ON THIS 1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

*See capture report for list of charges.

Form USM-285
Rev. 12/15/80
Automated 01/00

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Case: 19-1559 Document: 20 Filed: 11/07/2019 Page: 9

Page: 1 Document Name: untitled

IRPTRN56090660932014000000

* (TY2014)

PAGE 0094 OF 0145

DOCUMENT TYPE: 1099-A

PAYEE ENTITY DATA: 56-09066093

BANK OF AMERICA

100 N TRYON STREET

CHARLOTTE

STATE: NC ZIP: 28202-0000

ACQUISITION DATE: N/A

PERSONAL LIABILITY (BELOW):

ACCOUNT NUMBER: 14 202658BCT

PAYER ENTITY DATA: 476525566

BRIDGEWATER CAPITAL TR

% BANK OF AMERICA TTEE

38742 BRAMHAM ST

CLINTON TWP MI 48038

ITEM DESCRIPTION: IP/REAL PROPERTY

PRPTY FMV...*****

DEBT OUT...*****

***** TAXPAYER COPY *****

Case 4:21-cv-03610 Document 9 Filed on 05/02/22 in TXSD Page 8 of 9

Case: 19-1559 Document: 20 Filed: 11/07/2019 Page: 10 Page 1 of 8
Record of Account 56-0906609 1120 201412 BANK

This Product Contains Sensitive Taxpayer Data

Record of Account

Request Date:	05-01-2018
Response Date:	05-01-2018
Tracking Number:	100386302553

FORM NUMBER: 1120
TAX PERIOD: Dec. 31, 2014

TAXPAYER IDENTIFICATION NUMBER: 56-0906609

BANK OF AMERICA CORPORATION
150 N COLLEGE ST NC1-028-17-06
CHARLOTTE, NC 28202-2271-996

— ANY MINUS SIGN SHOWN BELOW SIGNIFIES A CREDIT AMOUNT —

ACCOUNT BALANCE:	\$0.00
ACCRUED INTEREST:	\$0.00 AS OF: May 14, 2018
ACCRUED PENALTY:	\$0.00 AS OF: Sep. 15, 2015

ACCOUNT BALANCE PLUS ACCRUALS
(THIS IS NOT A PAYOFF AMOUNT): \$0.00

** INFORMATION FROM THE RETURN OR AS ADJUSTED **

NET RECEIPTS:	\$977,720.00
TOTAL INCOME:	\$110,335,617,690.00
TOTAL DEDUCTIONS:	\$96,981,647,929.00
BET TAXABLE INCOME:	\$13,353,969,761.00
MINIMUM TAX AMOUNT:	\$0.00
ESTIMATED TAX CREDITS:	-\$550,324,858.00
PERSONAL HOLDING TAX:	\$0.00
ES/7004 PAYMENTS CLAIMED:	-\$650,324,858.00
TAX PER RETURN:	\$438,897,314.00
NAICS CD:	551111

RETURN DUE DATE OR RETURN RECEIVED DATE (WHICHEVER IS LATER) Aug. 26, 2015
PROCESSED DATE Oct. 05, 2015

Case 4:21-cv-03610 Document 9 Filed on 05/02/22 in TXSD Page 9 of 9

Case: 19-1559 Document: 20 Filed: 11/07/2019 Page: 11
 Record of Account 56-0906609 1120 201412 BANK Page 3 of 8

421	Closed examination of tax return	11-29-2016	\$0.00
424	Examination Request	11-29-2016	\$0.00
960	Appointed representative	06-30-2017	\$0.00
290	Additional tax assessed	201803 02-05-2018	\$0.00
n/a	83354-409-15117-8		
560	IRS can assess tax until 12-31-2019	01-30-2018	\$0.00

EIN Provided: 56-0906609
 Tax Period Requested: Dec. 31, 2014
 Form Number: 1120
 Duplicate Amendment Number: 000

The following items reflect the amount as shown on the return as filed or as adjusted during return processing. It does not include adjustments to the account after return settlement.

Original Return

NAME(S) SHOWN ON RETURN: BANK OF AMERICA CORPORATION
 ADDRESS: 150 N COLLEGE ST NC1-028-17-06
 CHARLOTTE, NC 28202-2271

CYCLE POSTED: 201537
 DLN: 93311-238-40546-5
 REMITTANCE: \$0.00
 RECEIVED DATE: 08-26-2015

Indicators, Codes, and Miscellaneous Information

CORRESPONDENCE RECEIVED DATE: 00-00-0000
 PARENT CORP EIN:
 DESIGNEE CHECKBOX:
 DESIGNEE PHONE NUMBER:
 TOTAL ASSETS: \$3,889,574,776,881.00
 SCH K NET OPERATING LOSS CARRYOVER PRIOR TAX YEARS: \$10,292,297,769.00
 SCH N TOTAL ESTIMATED TAX INCOME EXCLUSION: \$0.00

Income

GROSS RECEIPTS OR SALES:	\$977,720.00
RETURNS AND ALLOWANCES:	\$0.00
NET RECEIPTS PER COMPUTER:	\$977,720.00
COST OF GOODS SOLD:	\$0.00
COST OF GOODS SOLD PER COMPUTER:	\$0.00

MQRRIS V BANK OF AMERICA SETTLEMENT
PO'BOX 4199
PORTLAND OR 97208-4199



400489730062275015
000 0002176 00000000 0001 0001 02176 INS: 0 0

DUANE L BERRY
38742 BRAMHAM ST
CLINTON TWP MI 48038-3101

CHECK DATE: APRIL 1, 2022
CHECK NUMBER: 1121316
CHECK AMOUNT: \$2.84
TRACKING NUMBER: 2742584

AF7171 v.04

This is your settlement payment as a class member of *Morris, et al. v. Bank of America, N.A.*, 3:18-cv-157-RJC-DSC (W.D.N.C.). In exchange for this payment, you release Bank of America from liability as further set forth in the Settlement Agreement and Release.

The enclosed check is only valid for 180 days from the issue date. Please deposit promptly.

If you have any questions about your award, please visit the Settlement Website at www.NSFODSettlement.com, contact the Settlement Administrator at 1-855-654-0890 (recorded information only), or write to Morris v. Bank of America Settlement Administrator, P.O. Box 5645, Portland, OR 97228-5645.

WARNING: THIS DOCUMENT CONTAINS SEVERAL DOCUMENT SECURITY FEATURES

MORRIS V BANK OF AMERICA SETTLEMENT
PO BOX 4199
PORTLAND OR 97208-4199

The Huntington National Bank

56-1512
441

CHECK NUMBER
1121316

DATE
04/01/2022

Void if not negotiated within one hundred eighty (180) days of date of issue

PAY EXACTLY ***** TWO AND 84/100 DOLLARS

AMOUNT
\$2.84

PAY TO THE ORDER OF:

DUANE L BERRY

This check may not be cashed at a check cashing agency or money service business.

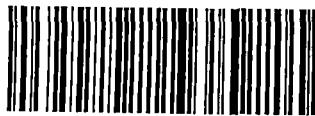

Authorized Signature

DO NOT CASH IF THE WORD VOID IS VISIBLE. SEE REVERSE SIDE FOR LIST OF SECURITY FEATURES.

00001121316# 0044115126# 01893858293#

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL®



**PRIORITY
MAIL®**

UNITED STATES
POSTAL SERVICE

1004



\$15.75
R2305M144230-18

FROM:

RETURN RECEIPT
REQUESTED

UNITED STATES DEPT. OF TREASURY
1500 PENNSYLVANIA AVE. NW
WASHINGTON, D.C. 20220

- Expected delivery date specified in domestic use.
- Most domestic shipments include up to \$50 of insurance (restrictions apply).*
- USPS Tracking® included for domestic and many international destinations.
- Limited international insurance.**
- When used internationally, a customs declaration form is required.

*Insurance does not cover certain items. For details regarding claims exclusions see the Domestic Mail Manual at <http://pe.usps.com>.

** See International Mail Manual at <http://pe.usps.com> for availability and limitations of coverage.

AT RATE ENVELOPE
RATE ■ ANY WEIGHT

ACKED ■ INSURED



PS00001000014

EP14F May 2020
OD: 12 1/2 x 9 1/2

To schedule free Package Pickup,
scan the QR code.



USPS.COM/PICKUP

TO:
U. S. District Court
Southern District of Texas
clerk. Nathan Ochsner
515 Rusk Ave.
Houston, TX 77002

United States Court
Southern District of Texas
FILED

MAY 23 2022

Nathan Ochsner, Clerk of Court